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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,598	09/15/2003	Hiroshi Iida	117172	8062

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EXAMINER	
GENTRY, DAVID G	
ART UNIT	PAPER NUMBER
2114	

DATE MAILED: 07/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/661,598	IIDA ET AL.	
	Examiner	Art Unit	
	David G. Gentry	2114	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 April 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

FINAL ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Tanimoto (U.S. Patent No. 6,885,469).

As per claim 1, Tanimoto discloses a service processing system providing service of performing processes on document data through cooperation among the processes over a network (column 1, lines 7-12; Note: it is understood that a facsimile server is a type of device that processes document data), comprising:

> a control part that continues, if an error occurs in the document data in the course of the processes, the processes on the document data, except in locations concerning the error (column 1, lines 36-41).

As per claim 2, Tanimoto discloses a service processing system further comprising:

a storage part that stores error histories (column 3, lines 17-22; Note: it is understood that the error is stored in the RAM in the fax server before it is sent to the managing computer); and

a report part that reports errors (column 4, lines 16-26),

wherein the control part, when an error occurs, registers information indicating the error in the error histories stored in the storage part (column 3, lines 17-22), and instructs the report part to report the error on the basis of the error histories at a predetermined timing (column 4, lines 16-26; Note: the timing is directly after the error is detected).

As per claim 3, Tanimoto discloses a service processing system further comprising an input part that inputs the document data to be processed (column 4, lines 27-37),

wherein, when an error occurs during input of the document data, the control part obtains information indicating the error from the input part (column 4, lines 27-37; Note: the input part includes all errors associated with the facsimile machine where documents are initially input) and stores the obtained information in the storage part (column 3, lines 17-22).

As per claim 4, Tanimoto discloses a service processing method that provides service of performing processes on document data through cooperation among the processes over a network, the service processing method comprising the steps of:

performing the processes on document data (column 1, lines 6-12);

if an error occurs in the document data in the course of the processes, controlling the processes on the document data to continue, except in locations concerning the errors (column 1, lines 36-41).

As per claim 5, Tanimoto discloses a service processing method further comprising the step of:

registering, when the error occurs, information about the error in error histories (column 3, lines 17-22; Note: it is understood that the error is stored in the RAM in the fax server before it is sent to the managing computer); and

reporting the error on the basis of the error histories at a predetermined timing (column 4, lines 16-26; Note: the timing is directly after the error is detected).

As per claim 6, Tanimoto discloses a service processing method further comprising the step of:

obtaining information about an error occurring during input of document data from a device on the network from which the document data to be processes is input (column 4, lines 27-37; Note: the input part includes all errors associated with the facsimile machine where documents are initially input);

and registering the error in the error histories (column 3, lines 17-22).

As per claim 7, Tanimoto discloses a service processing device in a service processing system providing service of performing processes on document data through cooperation among the processes over a network (column 1, lines 6-12), comprising:

a control part that continues, if an error occurs in the document data in the course of the processes, the processes on the document data, except in locations concerning the error (column 1, lines 36-41).

As per claim 8, Tanimoto discloses a service processing device further comprising:

a storage part that stores error histories (column 3, lines 17-22; Note: it is understood that the error is stored in the RAM in the fax server before it is sent to the managing computer); and

a report part that reports errors (column 4, lines 16-26),

wherein the control part, when an error occurs, registers information indicating the error in the error histories stored in the storage part (column 3, lines 17-22), and instructs the report part to report the error on the basis of the error histories at a predetermined timing (column 4, lines 16-26; Note: the timing is directly after the error is detected).

As per claim 9, Tanimoto discloses a service processing device further comprising an input part that inputs the document data to be processed (column 4, lines 27-37),

wherein, when an error occurs during input of the document data, the control part obtains information indicating the error from the input part (column 4, lines 27-37; Note: the input part includes all errors associated with the facsimile machine where documents are initially input) and stores the obtained information in the storage part (column 3, lines 17-22).

As per claim 10 Tanimoto discloses a service processing device wherein the error is a communication error during facsimile reception (column 4, lines 27-37).

As per claim 12, Tanimoto discloses a service processing device wherein the error is a paper jam of a read original during a reading operation by an automatic feeding device (column 4, lines 27-37).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tanimoto in view of Scheuneman et al. (U.S. Patent No. 4,697,233).

Tanimoto is relied upon for reasons stated in the previous section.

Tanimoto does not disclose a service processing device wherein the error is a decode error, although he does disclose that the error may be in the communication lines (column 6, lines 5-19).

Scheuneman discloses a service processing device wherein the error is a decode error of received data or read data (column 6, line 62- column 7, line 5).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the decode error detection as disclosed by Scheuneman in the system disclosed by Tanimoto. It would have been obvious because errors in decoding are common in the art (Scheuneman: column 4, lines 39-41).

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tanimoto in view of Takeda (U.S. Patent No. 6,297,117).

Tanimoto is relied upon for reasons stated in the previous section.

Tanimoto does not disclose a service processing device wherein a re-execution of processes is instructed.

Takeda discloses a service processing device according when the error occurs, if re-execution of the processes in locations concerning the error is instructed, the processes are performed again only in the locations concerning the error (column 1, line 59- column 2, line 11; Note: it is understood that when a job is re-executed, only the locations related to the job are used).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the re-execution technique as taught by Takeda in the system taught by Tanimoto. It would have been obvious because Takeda helps in

recovering the processes back to a normal state after a failure (Takeda: column 1, line 59- column 2, line 11).

Response to Applicants' Arguments

First, applicant has argued that Tanimoto fails to disclose continuing the processes on the document data except in locations concerning the error, as seen in claims 1, 4, and 7. After Tanimoto was further perused, however, it was found that Tanimoto does disclose this feature when the claims are given their broadest interpretation. Claims 1, 4, and 7 read that the control part makes certain that the processes on the document data are continued except in locations concerning the error. In Tanimoto, when an error occurs, the control part (managing client) continues to process the document data by, for example, sending the image data to another PC instead of printing it when an error occurs in the printer (column 5, lines 25-32). Therefore, the control part is continuing the overall processes of the document data even though the individual processes may change.

Furthermore, Kadota et al. (U.S. Patent No. 6,388,760) also reads on claims 1, 4, and 7 in the same way as applicants' specification. Kadota discloses determining an error while printing, skipping the page where the error was found, and then continuing to print the rest of the document (column 4, lines 29-43).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David G. Gentry whose telephone number is (571) 272-2570. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Baderman can be reached on (571) 272-3644. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SCOTT BADERMAN
SUPERVISORY PATENT EXAMINER